



#19  
N/A  
PATENTS  
VIB/08  
2/03

**NOTICE OF APPEAL FROM THE  
PRIMARY EXAMINER TO THE BOARD OF APPEALS**

Applicants : Neirynck et al.  
Application No. : 09/498,046 Confirmation No. : 8244  
Filed : February 4, 2000  
For : IMMUNOPROTECTIVE INFLUENZA ANTIGEN AND  
ITS USE IN VACCINATION  
Group Art Unit : 1648  
Examiner : Shanon A. Foley

**RECEIVED**

**JAN 10 2003**

**TECH CENTER 1600/2900**

New York, New York 10020  
January 3, 2003

Hon. Commissioner for Patents  
Washington, D.C. 20231

**NOTICE OF APPEAL**

Applicants hereby appeal to the Board of Appeals from the decision of the Primary Examiner mailed July 3, 2002 in which the rejection of claims 26-32, 34-41, 46 and 52-54 was made final.

A three-month extension of time to respond to the final rejection is requested. A check in the amount of \$465 in payment of the extension fee is transmitted herewith.

A check in the amount of \$160.00 in payment of the appeal fee is enclosed.

The Director is hereby authorized to charge payment of any additional fee,

01/08/2003 AWONDAF1 00000126 09498046

01 FC:2401

160.00 0P

**EXPRESS MAIL NO.  
EV133111894US**

or credit any overpayment, to Deposit Account No. 06-1075. A duplicate copy of this Notice of Appeal is enclosed.

Please Address all correspondence to

James F. Haley, Jr. (Reg. No. 27,794)

FISH & NEAVE  
1251 Avenue of the Americas  
New York, New York 10020-1104  
Tel.: (212) 596-9000

Respectfully submitted,



---

Z. Ying Li (Reg. No. 42,800)  
Agent for Applicants

FISH & NEAVE  
Customer No. 1473  
1251 Avenue of the Americas  
New York, New York 10020-1104  
Tel.: (212) 596-9000  
Fax: (212) 596-9090